

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARBUTUS BIOPHARMA CORPORATION)
and GENEVANT SCIENCES GmbH,)
)
Plaintiffs,)
)
v.) C.A. No. 22-252 (MSG)
)
MODERNA, INC. and MODERNATX, INC.)
)
Defendants.)
MODERNA, INC. and MODERNATX, INC.,)
)
Counterclaim-Plaintiffs,)
)
v.)
)
ARBUTUS BIOPHARMA CORPORATION)
and GENEVANT SCIENCES GmbH,)
)
Counterclaim-Defendants.)

DEFENDANTS' REQUEST FOR ORAL ARGUMENT

Pursuant to D. Del. LR 7.1.4, Defendants respectfully request oral argument before the Court in connection with their Motion to Compel Discovery from Plaintiffs and Roivant Sciences regarding lobbying materials. D.I. 341. Briefing on this motion was completed today. *Id.*; D.I. 348. Defendants are prepared to argue this Motion at the discovery dispute hearing scheduled to proceed on June 13, 2024, should the Court wish to address it at that time.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Brian P. Egan

OF COUNSEL:

James F. Hurst
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
(312) 862-2000

Patricia A. Carson, Ph.D.
Jeanna M. Wacker, P.C.
Mark C. McLennan
Caitlin Dean
N. Kaye Horstman
Shaoyao Yu
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, NY 10022
(212) 446-4679

Yan-Xin Li
KIRKLAND & ELLIS LLP
555 California Street, 27th Floor
San Francisco, CA 94104
(415) 439-1400

Alina Afinogenova
KIRKLAND & ELLIS LLP
200 Clarendon Street
Boston, MA 02116
(617) 385-7500

Jack B. Blumenfeld (#1014)
Brian P. Egan (#6227)
Travis J. Murray (#6882)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@morrisnichols.com
began@morrisnichols.com
tmurray@morrisnichols.com

Attorneys for Defendants

June 11, 2024

CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on June 11, 2024, upon the following in the manner indicated:

John W. Shaw, Esquire
Karen E. Keller, Esquire
Nathan R. Hoeschen, Esquire
Emily S. DiBenedetto, Esquire
SHAW KELLER LLP
I.M. Pei Building
1105 North Market Street, 12th Floor
Wilmington, DE 19801
Attorneys for Plaintiffs Arbutus Biopharma Corporation and Genevant Sciences GmbH

VIA ELECTRONIC MAIL

Daralyn J. Durie, Esquire
Adam R. Brausa, Esquire
Eric C. Wiener, Esquire
Annie A. Lee, Esquire
Shaelyn K. Dawson, Esquire
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105-2482
Attorneys for Plaintiff Arbutus Biopharma Corporation

VIA ELECTRONIC MAIL

Kira A. Davis, Esquire
MORRISON & FOERSTER LLP
707 Wilshire Boulevard
Los Angeles, CA 90017-3543
Attorneys for Plaintiff Arbutus Biopharma Corporation

VIA ELECTRONIC MAIL

David N. Tan, Esquire
MORRISON & FOERSTER LLP
2100 L Street, NW, Suite 900
Washington, DC 20037
Attorneys for Plaintiff Arbutus Biopharma Corporation

VIA ELECTRONIC MAIL

David I. Berl, Esquire
Adam D. Harber, Esquire
Thomas S. Fletcher, Esquire
Jessica Palmer Ryen, Esquire
Shaun P. Mahaffy, Esquire
Anthony H. Sheh, Esquire
Philip N. Haunschild, Esquire
Falicia Elenberg, Esquire
Jihad J. Komis, Esquire
Matthew W. Lachman, Esquire
WILLIAMS & CONNOLLY LLP
680 Maine Avenue S.W.
Washington, DC 20024
Attorneys for Plaintiff Genevant Sciences GmbH

VIA ELECTRONIC MAIL

/s/ Brian P. Egan

Brian P. Egan (#6227)